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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/076,183	02/14/2002	Sylvie Jeannin	US020014	3187

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EXAMINER	
CHOWDHURY, NIGAR	
ART UNIT	**PAPER NUMBER**
2621	

DATE MAILED: 07/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/076,183	JEANNIN ET AL.	
	Examiner	Art Unit	
	Nigar Chowdhury	2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 February 2002*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-22* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *14 February 2006* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 10-13 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,236,395 by Sezan et al.

2. Regarding claim 10, a method for creation of a visual summary of video content of a video source comprising the steps of: (Fig. 4-12. Col. 13 line 65-Col. 14 line 40)

- (a) Designating a plurality of frames from a video source as keyframes
- (b) Adjusting a display rate of the keyframes designated in step (a) according to a fast forward/rewind speed of the video source so that the keyframes are displayed for a predetermined time during fast forward/rewind of the video source.

3. Regarding claim 11, the method according to claim 10, further including (c) providing an audio portion for the keyframes designated in step (a). (Col. 1 line 8-11. Fig. 4-12. Col. 13 line 65-Col. 14 line 40)

4. Regarding claim 12, the method according to claim 11, where the audio portion is a substitute audio portion customized to correspond to the designated keyframes. (Col. 1 line 8-11. Fig. 4-12. Col. 13 line 65-Col. 14 line 40)

5. Regarding claim 13, the method according to claim 11, wherein step (c) includes providing a plurality of audio portions, wherein a particular audio portion is selected to match the display rate of the keyframes in step (b). (Fig. 4-12. Col. 13 line 65-Col. 14 line 40)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 1-7, 18-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,728,473 by Chotoku et al in view of U.S. Patent No. 6,335,742 by Takemoto and U.S. Patent No. 6,236,395 by Sezan et al.

7. Regarding claim 1, Chotoku discloses a method for the automatic creation of a visual summary of video content of a video source, comprising the steps of: (a) automatic extraction of a plurality of keyframes representing scenes from a video source according to predetermined criteria to produce an initial visual summary (Col. 1 line 26-29, Col. 2 line 12-14)

However, Chotoku fails to disclose:

(b) Assigning weights to a particular group of keyframes extracted in step (a) representing a particular scene of the video source in the initial visual summary;

(c) Refining the initial visual summary into a modified visual summary by filtering the keyframes having a lower weight assigned in step (b) relative to higher-weighted keyframes from the particular group of keyframes from the particular scene of the video source;

(d) Adjusting a keyframe display rate of the modified visual summary to correspond with a fast forward/rewind speed of the video source so that the keyframes can be displayed during fast forward/rewind of the video source.

In an analogous art, Takemoto discloses that the particular group of keyframes assigns particular weights which can be name or the type or the date. Weight depends

on user to select. User can modify the keyframes by giving low weight to name or high weight to name. (Col. 12 line 30-39)

It would have been obvious to one of the ordinary skill in the art at the time of applicant's invention to modify Chotoku's method to include grouping of keyframes by weight, as taught by Takemoto, for advantage of providing album or chapter to the user.

However, Chotoku and Takemoto fails to disclose: adjusting a keyframe display rate of the modified visual summary to correspond with a fast forward/rewind speed of the video source so that the keyframes can be displayed during fast forward/rewind of the video source.

In an another analogous art, Sezan discloses: adjusting a keyframe display rate of the modified visual summary to correspond with a fast forward/rewind speed of the video source so that the keyframes can be displayed during fast forward/rewind of the video source. (Fig. 4-12, Col. 12 line 1-16, Col. 13 line 65-Col. 14 line 40)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Chotoku and Takemoto's method to include adjusting a keyframe display rate of the modified visual summary to correspond with a fast forward/rewind speed of the video source so that the keyframes can be displayed during fast forward/rewind of the video source, as taught by Sezan, for the advantage of providing the user to select fast forward/rewind speed of keyframes during display.

8. Regarding claim 2, the proposed combination of Chotoku, Takemoto and Sezan discloses all the limitation in claim 1 above, and additionally Takemoto discloses

wherein assignment of weights in step (b) includes assigning the weights based on a relative time each of the keyframes in the particular group represents of the particular scene from the video source (Col. 12 line 30-39, relative time can be date)

9. Regarding claim 3, Takemoto discloses the keyframes in the particular group that represent less than a predetermined threshold of time in the particular scene of the video source are filtered. (Col. 12 line 30-39, user can select sorting rule)

10. Regarding claim 4, Sezan discloses the keyframe display rate is adjusted to correspond with a user-selected fast forward/rewind speed of the video source (Col. 12 line 1-16)

11. Regarding claim 5, Sezan discloses the adjusting of the keyframe display rate in step (d) includes providing audio for the modified visual summary during fast forward/rewind. (Col. 12 line 1-16, Col. 13 line 65-Col. 14 line 40)

12. Regarding claim 6, Takemoto discloses the adjusting of the keyframe display includes replacing individual keyframes by short sets of frames that capture movement in the particular scene. (Fig. 3, Col. 6 line 34-45, Col. 12 line 30-39, Fig. 6 has different option (delete, shift, copy, etc.) will help to replace keyframes)

13. Regarding claim 7, Takemoto discloses the weighting of the keyframes is based on user-specified interests. (Col. 12 line 30-39)

14. System claim 18 is rejected for the same reason as discussed in the corresponding method claim 1 above.

15. System claim 19 is rejected for the same reason as discussed in the corresponding method claim 1 above (extraction can be done by manually).

16. System claim 20 is rejected for the same reason as discussed in the corresponding method claim 1 above.

17. System claim 21 is rejected for the same reason as discussed in the corresponding method claim 2 above.

18. System claim 22 is rejected for the same reason as discussed in the corresponding method claim 5 above.

19. Claims 8, 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,728,473 by Chotoku et al, U.S. Patent No. 6,335,742 by Takemoto and U.S. Patent No. 6,236,395 by Sezan et al. in view of EP 1085756 by Van Beek et al.

20. Regarding claim 8, the proposed combination of Chotoku, Takemoto, and Sezan discloses all the limitation in claim 7 above, but all of them fails to disclose the user specified interests include images of specific actors in the video source.

Van Beek discloses the user specified interests include images of specific actors in the video source. (Page 4 line 19)

Therefore, it would have been obvious to one of the ordinary skill in the art at the time of applicant's invention to modify Chotoku, Takemoto's and Sezan system to include a user specified interests include images of specific actors in the video source, as taught by Van Beek, for the advantage of providing the user specific actors in the keyframes.

21. Regarding claim 9, Van Beek discloses the user-specified interests include movement of actors in the video source (Page 4 line 19)

22. Claims 14-17 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,236,395 by Sezan et al. in view of U.S. Patent No. 6,100,941 by Dimitrova et al.

23. Regarding claim 14, Sezan teaches designated keyframes display during fast forward/rewind of video source but Sezan fails to disclose a portion of the designated keyframes in step (a) comprise an advertisement.

Dimitrova discloses a portion of the designated keyframes in step (a) comprise an advertisement (Col. 14 line 29-41. Col. 17 line 9-13, 50-54)

Therefore, it would have been obvious to one of the ordinary skill in the art at the time of applicant's invention to modify Sezan's system to include a portion of the designated keyframes are advertisement, as taught by Dimitrova, for the advantage of providing the user advertisement in the keyframes.

24. Regarding claim 15, Dimitrova discloses the substitute audio portion comprises one of: (1) a description of the product advertised in the portion of the designated keyframes comprising the advertisement, and (2) a pronunciation of the name of the product advertised in the portion of the designated keyframes comprising an advertisement. (Col. 14 line 29-41. Col. 17 line 9-13, 50-54, Col. 18 line 19-25)

25. Regarding claim 16, Sezan teaches designated keyframes display during fast forward/rewind of video source but Sezan fails to disclose step (a) includes providing at least one user-created alternative keyframe to the visual summary that did not originate from the video source.

Dimitrova discloses step (a) includes providing at least one user-created alternative keyframe to the visual summary that did not originate from the video source (Col. 14 line 29-41. Col. 17 line 9-13, 50-54)

Therefore, it would have been obvious to one of the ordinary skill in the art at the time of applicant's invention to modify Sezan's system to include a portion of the

designated keyframes that did not originate from video source, as taught by Dimitrova, for the advantage of providing the user different kind of keyframes which are not originate from the video source.

26. Regarding claim 17, Dimitorva discloses at least one user-created alternative keyframe comprises an advertisement (Col. 14 line 29-41. Col. 17 line 9-13, 50-54)

Conclusion

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(1) 7,054,540 (2) 6,757,479 (3) 5,485,611 (4) 6,895,407

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nigar Chowdhury whose telephone number is 571-272-8890. The examiner can normally be reached on 9 AM - 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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07/07/2006